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|   |   |   |
|---|---|---|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><small>(Only for new nonprovisional applications under 37 CFR § 1.53(b))</small> |   | Attorney Docket No. 4740-252                    |
|   |   | First Inventor or Application Identifier Hosein |
| Title   | Common Rate Control Method Based on Mobile Transmit Power |   |
|   |   | Express Mail Label No. EL 979045306 US          |

U.S. 1981  
17497199  
10/17/01



|  |  |   |
|--|--|---|
| <b>APPLICATION ELEMENTS</b><br><small>See MPEP chapter 600 concerning utility patent application contents.</small>   |  | Assistant Commissioner for Patents<br>ADDRESS TO: Box Patent Application Washington, DC 20231 |
| <p>1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g., PTO/SB/17)<br/><i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages 29]<br/><i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> <li>— Descriptive title to the Invention</li> <li>— Cross References to Related Applications</li> <li>— Statement Regarding Fed sponsored R &amp; D</li> <li>— Reference to Microfiche Appendix</li> <li>— Background of the Invention</li> <li>— Brief Summary of the Invention</li> <li>— Brief Description of the Drawings (if filed)</li> <li>— Detailed Description</li> <li>— Claim(s)</li> <li>— Abstract of the Disclosure</li> </ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 9]</p> <p>4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 3]</p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d))<br/><i>(for continuation/divisional with Box 17 completed)</i><br/><b>[Note Box 5 below]</b></li> <li>i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li> </ul> <p>5. <input type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked)<br/>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary statement:</p> <p><input type="checkbox"/> Continuation   <input type="checkbox"/> Divisional   <input type="checkbox"/> Continuation-in-part (CIP)   of prior application No: _____ / _____<br/>Prior application information: Examiner: Group/Art Unit: _____</p> |  |   |
| <b>ACCOMPANYING APPLICATION PARTS</b>  |  |   |
| <p>8. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>9. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney<br/><i>(when there is an assignee)</i></p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/><i>(Should be specifically itemized)</i></p> <p>14. <input type="checkbox"/> *Small Entity <input type="checkbox"/> Statement filed in prior application, Statement(s) Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br/><i>(if foreign priority is claimed)</i></p> <p>16. <input checked="" type="checkbox"/> Other: Express Mail Certification</p>   |  |   |

\*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

|   |  |       |  |
|---|--|-------|--|
| <b>18. CORRESPONDENCE ADDRESS</b>                                     |  |       |  |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label |  | 24112 | or <input type="checkbox"/> Correspondence address below<br><i>(Insert Customer No. or Attach bar code label here)</i> |

|         |           |          |  |
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| NAME    |           |          |  |
|         |           |          |  |
| ADDRESS |           |          |  |
|         |           |          |  |
| CITY    | STATE     | ZIP CODE |  |
| COUNTRY | TELEPHONE | FAX      |  |

|                   |                         |                                   |                        |
|-------------------|-------------------------|-----------------------------------|------------------------|
| Name (Print/Type) | David E. Bennett        | Registration No. (Attorney/Agent) | 32,194                 |
| Signature         | <i>David E. Bennett</i> |                                   | Date November 21, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**FEE TRANSMITTAL**

Patent fees are subject to annual revision on October 1

These are the fees effective December 29, 1999.

Small Entity payments must be supported by a small entity statement.  
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
 See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT** (\$ 1400.00)**Complete if Known**

|                      |                   |
|----------------------|-------------------|
| Application Number   | TBA               |
| Filing Date          | November 21, 2003 |
| First Named Inventor | Hosein            |
| Examiner Name        | TBA               |
| Group Art Unit       | TBA               |
| Attorney Docket No.  | 4740-252          |

**METHOD OF PAYMENT** (check one)

1.  The Commission is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 18-1167

Deposit Account Name Coats & Bennett, P.L.L.C.

Charge Any Additional Fee Required Under 37 CFR §§1.16 and 1.17  Charge the Issue Fee Set in 37 CFR §1.18 at the Mailing of the Notice of Allowance

2.  Payment Enclosed:  
 Check  Money Order  Other

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description           | Fee Paid   |
|----------------------------|----------------------|----------------------------|---------------------------|------------|
| 101                        | 770                  | 201                        | 345 Utility filing fee    | 770.00     |
| 106                        | 310                  | 206                        | 155 Design filing fee     |            |
| 107                        | 480                  | 207                        | 240 Plant filing fee      |            |
| 108                        | 760                  | 208                        | 380 Reissue filing fee    |            |
| 114                        | 150                  | 214                        | 75 Provisional filing fee |            |
| <b>SUBTOTAL (1)</b>        |                      |                            |                           | (\$770.00) |

**2. EXTRA CLAIM FEES**

| Total Claims       | 48 | -20** = | 28 | X | 18.00 | = | 504.00 |
|--------------------|----|---------|----|---|-------|---|--------|
| Independent Claims | 4  | -3** =  | 1  | X | 86    | = | 86.00  |

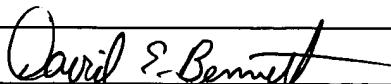
Multiple Dependent Claims  X  =   
 \*\* or number previously paid, if greater; For Reissues, see below

| Large Entity Fee Code (\$) | Entity Fee Code (\$) | Fee Description   |
|----------------------------|----------------------|---|
| 103                        | 18                   | 203 9 Claims in excess of 20                                    |
| 102                        | 78                   | 202 39 Independent claims in excess of 3                        |
| 104                        | 260                  | 204 130 Multiple dependent claim                                |
| 109                        | 78                   | 209 39 **Reissue independent claims over original patent        |
| 110                        | 18                   | 210 9 **Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2)</b>        |                      |   |
| (\$590.00)                 |                      |   |

**FEE CALCULATION (continued)**

| 3. Large Fee Code (\$)            | Entity Fee (\$) | Small Entity Fee Code (\$) | Fee Description   | Fee Paid                      |
|-----------------------------------|-----------------|----------------------------|---|-------------------------------|
| 105                               | 130             | 205                        | 65 Surcharge - late filing fee or oath  |                               |
| 127                               | 50              | 227                        | 25 Surcharge - late provisional filing fee or cover sheet                     |                               |
| 139                               | 130             | 139                        | 130 Non-English specification   |                               |
| 147                               | 2,520           | 147                        | 2,520 For filing a request for reexamination                                  |                               |
| 112                               | 920*            | 112                        | 920* Requesting publication of SIR prior to Examiner action                   |                               |
| 113                               | 1,840*          | 113                        | 1,840* Requesting publication of SIR after Examination action                 |                               |
| 115                               | 110             | 215                        | 55 Extension for reply within first month                                     |                               |
| 116                               | 380             | 216                        | 190 Extension for reply within second month                                   |                               |
| 117                               | 870             | 217                        | 435 Extension for reply within third month                                    |                               |
| 118                               | 1,360           | 218                        | 680 Extension for reply within fourth month                                   |                               |
| 128                               | 1,850           | 228                        | 925 Extension for reply within fifth month                                    |                               |
| 119                               | 300             | 219                        | 150 Notice of Appeal  |                               |
| 120                               | 300             | 220                        | 150 Filing a brief in support of an appeal                                    |                               |
| 121                               | 260             | 221                        | 130 Request for oral hearing  |                               |
| 138                               | 1,510           | 138                        | 1,510 Petition to institute a public use proceeding                           |                               |
| 140                               | 110             | 240                        | 55 Petition to revive - unavoidable   |                               |
| 141                               | 1,210           | 241                        | 605 Petition to revive - unintentional  |                               |
| 142                               | 1,210           | 242                        | 605 Utility issue fee (or reissue)  |                               |
| 143                               | 430             | 243                        | 215 Design issue fee  |                               |
| 144                               | 580             | 244                        | 290 Plant issue fee   |                               |
| 122                               | 130             | 122                        | 130 Petitions to the Commissioner   |                               |
| 123                               | 50              | 123                        | 50 Petitions related to provisional applications                              |                               |
| 126                               | 240             | 126                        | 240 Submission of Information Disclosure Stmt.                                |                               |
| 581                               | 40              | 581                        | 40 Recording each patent assignment per property (times number of properties) | 40.00                         |
| 146                               | 760             | 246                        | 380 Filing a submission after final rejection (37 CFR 1.129(a))               |                               |
| 149                               | 760             | 249                        | 380 For each additional invention to be examined (37 CFR 1.129(b))            |                               |
| Other fee (specify) _____         |                 |                            |   |                               |
| Other fee (specify) _____         |                 |                            |   |                               |
| *Reduced by Basic Filing Fee Paid |                 |                            |   | <b>SUBTOTAL (3)</b> (\$40.00) |

**SUBMITTED BY**

|                       |   |             |                   |
|-----------------------|---|-------------|-------------------|
| Typed or Printed Name | David E. Bennett  | Reg. Number | 32,194            |
| Signature             |  | Date        | November 21, 2003 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hosein )  
Serial No.: )  
Filed: November 21, 2003 )  
Title: **COMMON RATE CONTROL METHOD** )  
**BASED ON MOBILE TRANSMIT POWER** )  
**PATENT MATTER** )  
Attorney's Docket No: 4740-252 )

**EXPRESS MAIL CERTIFICATION  
LABEL NO.: EL 979045306 US**

MS PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Raleigh, North Carolina  
November 21, 2003

Sir:

**EXPRESS MAIL CERTIFICATE LABEL NO.: EL 979045306 US**

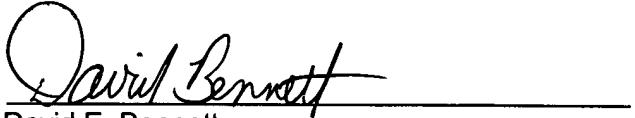
**DATE MAILED: November 21, 2003**

I hereby certify that the enclosed US Utility Patent Application Transmittal Form, Fee Transmittal Form (2 copies), specification and claims, drawings (9 sheets), Declaration and Power of Attorney, Assignment and Recordation Sheet, and our check number 10625 in the amount of \$1400 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Respectfully submitted,

**COATS & BENNETT, P.L.L.C.**

By:

  
\_\_\_\_\_  
David E. Bennett  
Registration No. 32,194

Telephone: (919) 854-1844